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ART UNIT	PAPER NUMBER
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Please find below and/or attached an Office communication concerning this application or proceeding.

	Application No.	Applicant(s)
Office Action Summary	09/824,132	STEPHENSON ET AL.
	Examiner	Art Unit	
	Ajay M Bhatia	2145	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE _3_ MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on _12 January 2005_.
2a)☒ This action is **FINAL**.   2b)☒ This action is non-final.
3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) _1,2,4-32 and 34-46_ is/are pending in the application.
    4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5)☐ Claim(s) _____ is/are allowed.
6)☒ Claim(s) _1,2,4-32 and 34-46_ is/are rejected.
7)☐ Claim(s) _____ is/are objected to.
8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.
10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.
    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
    a)☐ All b)☐ Some * c)☐ None of:
        1.☐ Certified copies of the priority documents have been received.
        2.☐ Certified copies of the priority documents have been received in Application No. _____.
        3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)
1)☐ Notice of References Cited (PTO-892)
2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3)☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.
4)☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5)☐ Notice of Informal Patent Application (PTO-152)
6)☐ Other: _____.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that

form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

1.   Claims 1-3, 7-8, 11-33 and 36-46 are rejected under 35 U.S.C. 102(b) as being

anticipated by TunnelBuilder for Mac User's Guide.

2.   For claim 1, TunnelBuilder teaches, a system for establishing communications

across a firewall comprising:

a communications network;

a first server within said communications network; a first computer separated from said

communications network, said first computer sending information to said first server;

and,

a second computer separated from said communications network, said second

computer receiving information from said first server related to the information sent from

said first computer, wherein at least one of said first computer and said second

computer are separated from said communications network by at least one firewall.

wherein said first computer transmits a message to said first server with an encrypted

address of said second computer, and

wherein said first server decrypts said encrypted address to an unencrypted address of

said second computer and forwards said message to said second computer using said

unencrypted address

(see TunnelBuilder for Mac User's Guide, Chapters 1 and 3, also see in images

chapters 1, inherent in the system the IP packet is encrypted and encapsulated into the

tunneling packet which is used to transport the packet between the two servers that

connect the networks and once it has reached the destination tunnel server is decrypted

and forwarded to the designation computer when the packet is decrypted the address is

also decrypted which means the same as unencrypted)

3.   For claim 2, TunnelBuilder teaches, the system according to claim 1, wherein

said first computer transmits a said message to said first server with encrypted

message content and said server transmits said encrypted content to said second

computer. (see TunnelBuilder for Mac User's Guide, Chapter 1)

4.   For claim 7, TunnelBuilder teaches, the system according to claim 1, wherein the

information received at said second computer has the same content as the information

sent from said first computer. (see TunnelBuilder for Mac User's Guide, Chapter 1, see

page 1-1)

5.   For claim 8, TunnelBuilder teaches, the system according to claim 1, wherein the

information received at said second computer has different but related content as the

information sent from said first computer. (see TunnelBuilder for Mac User's Guide,

Chapter 1, see page 1-1)

6.   For claim 11, TunnelBuilder teaches, the system according to claim 1, further

comprising: at least a third computer, wherein at least said third computer receives

information from said first server related to the information sent from said first computer,

wherein at least said third computer is separated from said communication network by

at least one of said first or at least a second firewall. (see TunnelBuilder for Mac User's

Guide, Chapter 1, see images and page 1-3)

7.   For claim 12, TunnelBuilder teaches, the system according to claim 1, wherein a

communication pathway between said first server and at least one of said first computer

and said second computer is kept open by repeated transmissions from said first server.

(see TunnelBuilder for Mac User's Guide, Chapter 3, see page 3-17)

8.   For claim 13, TunnelBuilder teaches, the system according to claim 1, wherein a

communication pathway between said first server and at least one of said first computer

and said second computer is kept open by repeated transmissions from at least one of

said first computer and said second computer. (see TunnelBuilder for Mac User's

Guide, Chapter 3, see page 3-17)

9.   For claim 14, TunnelBuilder teaches, the system according to claim 1, wherein

said first computer transmits a said message to said first server with a header, the

header including at least an said encrypted address of said second computer and

wherein said first server decrypts said encrypted address to an said unencrypted

address of said second computer and forwards said message to said second computer

using said unencrypted address. (see TunnelBuilder for Mac User's Guide, Chapter 1,

see page 1-1)

10.   For claim 15, TunnelBuilder teaches, the system according to claim 1, wherein

said first computer transmits a said message to said first server with a header, the

header including at least one of an encrypted header, an encrypted size, an encrypted

CRC, an encrypted header length, an encrypted message length, an encrypted asset

identifier, an encrypted name of at least one client, and an encrypted application ID, an

encrypted time and date stamp, an encrypted location ID, an encrypted message types,

an encrypted attachment identifier, an encrypted packet number, and an encrypted pre-

compressed data size for an associated message. (see TunnelBuilder for Mac User's

Guide, Chapter 1, see page 1-1)

11.   For claim 16, TunnelBuilder teaches, a method for transmitting information

across a network comprising the steps of: receiving an encrypted address of a second

computer from a first computer; receiving an encrypted message from said first

computer; decrypting said encrypted address into an unencrypted address of said

second computer; and, transmitting said encrypted message to said second computer.

(see TunnelBuilder for Mac User's Guide, Chapter 1, see page 1-1, inherent in the

system the IP packet is encrypted and encapsulated into the tunneling packet which is

used to transport the packet between the two servers that connect the networks and

once it has reached the destination tunnel server is decrypted and forwarded to the

designation computer when the packet is decrypted the address is also decrypted which

means the same as unencrypted)

12.   For claim 17, TunnelBuilder teaches, the method according to claim 16, wherein

said encrypted message is also compressed. (see TunnelBuilder for Mac User's Guide,

Chapter 1, see page 1-1)

13.   For claim 18, TunnelBuilder teaches, the method according to claim 16, wherein

said encrypted address is associated with a header, the header including at least one of

an encrypted header, an encrypted size, an encrypted CRC, an encrypted header

length, an encrypted message length, an encrypted asset identifier, an encrypted name

of at least one client, and an encrypted application ID, an encrypted time and date

stamp, an encrypted location ID, an encrypted message types, an encrypted attachment

identifier, an encrypted packet number, and an encrypted pre-compressed data size for

an associated message. (see TunnelBuilder for Mac User's Guide, Chapter 1, see page

1-1)

14.   For claim 19, TunnelBuilder teaches, a method for transmitting information

across a network comprising the steps of: receiving an encrypted address of a second

computer from a first computer;

receiving an encrypted message from said first computer;

decrypting said encrypted address into an unencrypted address of said second

computer; and,

transmitting said encrypted message to said second computer, wherein at least one of

said receiving steps and said transmitting step includes receiving or transmitting through

a firewall. (see TunnelBuilder for Mac User's Guide, Chapter 1, inherent in the system

the IP packet is encrypted and encapsulated into the tunneling packet which is used to

transport the packet between the two servers that connect the networks and once it has

reached the destination tunnel server is decrypted and forwarded to the designation

computer when the packet is decrypted the address is also decrypted which means the

same as unencrypted)

15.   For claim 20, TunnelBuilder teaches, the method according to claim 19, wherein

said encrypted message is also compressed. (see TunnelBuilder for Mac User's Guide,

Chapter 1, see page 1-1)

16.   For claim 21, TunnelBuilder teaches, a computer-readable medium storing a

program for transmitting information across a network, said program comprising the

steps of: receiving an encrypted address of a second computer from a first computer;

receiving an encrypted message from said first computer; decrypting said encrypted

address into an unencrypted address of said second computer; and transmitting said

encrypted message to said second computer, wherein at least one of said receiving

steps and said transmitting step includes receiving or transmitting through a firewall.

(see TunnelBuilder for Mac User's Guide, Chapter 1 and see image, , inherent in the

system the IP packet is encrypted and encapsulated into the tunneling packet which is

used to transport the packet between the two servers that connect the networks and

once it has reached the destination tunnel server is decrypted and forwarded to the

designation computer when the packet is decrypted the address is also decrypted which

means the same as unencrypted)

17.   For claim 22, TunnelBuilder teaches, the computer readable medium according

to claim 21, wherein said encrypted message is also compressed. (see TunnelBuilder

for Mac User's Guide, Chapter 1, see page 1-1)

18.   For claim 23, TunnelBuilder teaches, a method for transmitting information

across a network comprising the steps of: encrypting an address of a second computer

at a first computer; encrypting a message; and transmitting to a server said encrypted

address and said encrypted message, wherein said server later decrypts said encrypted

address and transmits said encrypted message to said second computer. (see

TunnelBuilder for Mac User's Guide, Chapter 1, see pages 1-1 and 1-3, also see

images)

19.   For claim 24, TunnelBuilder teaches, a method for transmitting information

across a network comprising the steps of: encrypting an address of a second computer

at a first computer; encrypting a message; and transmitting to a server said encrypted

address and said encrypted message, wherein said server later decrypts said encrypted

address and transmits said encrypted message to said second computer, wherein at

least one of said first computer and said second computer are separated from a server

by a firewall. (see TunnelBuilder for Mac User's Guide, Chapter 1, see pages 1-1 and 1-

3, also see images)

20.   For claim 25, TunnelBuilder teaches, a computer-readable medium storing a

program for transmitting information across a network, said program comprising the

steps of: encrypting an address of a second computer at a first computer; encrypting a

message; and transmitting to a server said encrypted address and said encrypted

message, wherein said server later decrypts said encrypted address and transmits said

encrypted message to said second computer. (see TunnelBuilder for Mac User's Guide,

Chapter 1, see page 1-1 and 1-3, also see images)

21.   For claim 26, TunnelBuilder teaches, a computer readable medium storing a

program for transmitting information across a network, said program comprising the

steps of: encrypting an address of a second computer at a first computer; encrypting a

message; and transmitting to a server said encrypted address and said encrypted

message, wherein said server later decrypts said encrypted address and transmits said

encrypted message to said second computer, wherein at least one of said first computer

and said second computer are separated from said server by a firewall. (see

TunnelBuilder for Mac User's Guide, Chapter 1, see page 1-1 and 1-3, also see images)

22.   For claim 27, TunnelBuilder teaches, a system for transmitting information

between a first computer and a second computer comprising:

a first application;

a first computer hosting a first client, said first client receiving data from said first

application, said first computer transmitting said data to a server, said server forwarding

said data to a second client residing on said second computer, said second client

forwarding said data to at least a second application,

wherein at least one of said first computer and said second computer are separated

from said server by a firewall

wherein said first computer transmits a message to said server with an encrypted

address of said second computer and

wherein said server decrypts said encrypted address to an unencrypted address of said

second computer and

wherein said server decrypts said encrypted address to an unencrypted address of said

second computer and forwards said message to said second computer using said

unencrypted address.

(see TunnelBuilder for Mac User's Guide, Chapter 1, also see images)

23.   For claim 28, TunnelBuilder teaches, the system according to claim 27, wherein

said first application is hosted by a third computer that communicates with said first

computer. (see TunnelBuilder for Mac User's Guide, Chapter 1, see page 1-1 and 1-3,

also see images)

24.   For claim 29, TunnelBuilder teaches, the system according to claim 27, wherein

said first application is hosted by said first computer. (see TunnelBuilder for Mac User's

Guide, Chapter 1, see page 1-1 and 1-3, also see images)

25.   For claim 30, TunnelBuilder teaches, the system according to claim 27, wherein

said second application is hosted by a third computer that communicates with said

second computer. (see TunnelBuilder for Mac User's Guide, Chapter 1, see page 1-1

and 1-3, also see images)

26.   For claim 31, TunnelBuilder teaches, the system according to claim 27, wherein

said second application is hosted by said second computer. (see TunnelBuilder for Mac

User's Guide, Chapter 1, see page 1-1 and 1-3, also see images)

27.   For claim 32, TunnelBuilder teaches, the system according to claim 27, wherein

said first computer transmits said data as encrypted data and said server transmits said

encrypted data to said second computer. (see TunnelBuilder for Mac User's Guide,

Chapter 1, see page 1-1 and 1-3, also see images)

28.   For claim 33, TunnelBuilder teaches, the system according to claim 27, wherein

said first computer transmits a message to said server with an encrypted address of

said second computer and wherein said server decrypts said encrypted address to an

unencrypted address of said second computer and forwards said message to said

second computer using said unencrypted address. (see TunnelBuilder for Mac User's

Guide, Chapter 1, see page 1-1 and 1-3, also see images)

29.   For claim 36, TunnelBuilder teaches, the system according to claim 27, wherein

said first client communicates with said first application by an application programming

interface. (see TunnelBuilder for Mac User's Guide, Chapter 1, see page 1-1 and 1-3,

also see images)

30.   For claim 37, TunnelBuilder teaches, the system according to claim 27, wherein

said first client communicates with said first application by a proxy. (see TunnelBuilder

for Mac User's Guide, Chapter 1, see page 1-1 and 1-3, also see images)

31.   For claim 38, TunnelBuilder teaches, the system according to claim 27, wherein

said first client communicates with said first application by sockets. (see TunnelBuilder

for Mac User's Guide, Chapter 1, see page 1-1 and 1-3, also see images)

32.   For claim 39, TunnelBuilder teaches, a method for transmitting information

across a network between a first computer and a second computer, said network

including a server that had received and decrypted an encrypted address of said

second computer, said server having transmitted an encrypted message to said second

computer using said decrypted address said method comprising the steps of:

receiving at said second computer from a said server an encrypted message and a

header with encrypted information

decrypting said encrypted information;

decrypting said encrypted message,

(see TunnelBuilder for Mac User's Guide, Chapter 1, see page 1-1 and 1-3, also see

images)

33.   For claim 40, TunnelBuilder teaches, the method according to claim 39, wherein

said header includes at least one of an encrypted address, an encrypted size, an

encrypted CRC, an encrypted header length, an encrypted message length, an

encrypted asset identifier, an encrypted name of at least one client, and an encrypted

application ID, an encrypted time and date stamp, an encrypted location ID, an

encrypted message types, an encrypted attachment identifier, an encrypted packet

number, and an encrypted pre-compressed data size for an associated message. (see

TunnelBuilder for Mac User's Guide, Chapter 1, also see images)

34.   For claim 41, TunnelBuilder teaches, a method for transmitting information

across a network between a first computer and a second computer, said network

including a server that had received and decrypted an encrypted address of said

second computer, said server having transmitted an encrypted message to said second

computer using said decrypted address said method comprising the steps of:

receiving at said second computer from a server a header with encrypted information

and an encrypted message,

decrypting said encrypted information;

decrypting said encrypted message,

wherein at least on of said first computer and said second computer are separated from

said server by a firewall

(see TunnelBuilder for Mac User's Guide, Chapter 1, also see images)

35.   For claim 42, TunnelBuilder teaches, the method according to claim 41, wherein

said header includes at least one of an encrypted address, an encrypted size, an

encrypted CRC, an encrypted header length, an encrypted message length, an

encrypted asset identifier, an encrypted name of at least one client, and an encrypted

application ID, an encrypted time and date stamp, an encrypted location ID, an

encrypted message types, an encrypted attachment identifier, an encrypted packet

number, and an encrypted pre-compressed data size for an associated message. (see

TunnelBuilder for Mac User's Guide, Chapter 1, see page 1-1 and 1-3, also see images)

36.   For claim 43, TunnelBuilder teaches, a computer readable medium storing a

program for transmitting information across a network between a first computer and a

second computer, said network including a server that had received and decrypted an

encrypted address of said second computer, said server having transmitted an

encrypted message to said second computer using said decrypted address said method.

comprising the steps of:

receiving at said second computer from a server a header with encrypted information

decrypting said encrypted information;

decrypting said encrypted message,

(see TunnelBuilder for Mac User's Guide, Chapter 1, see page 1-1 and 1-3, also see

images)

37.   For claim 44, TunnelBuilder teaches, the computer readable medium according

to claim 43, wherein said header includes at least one of an encrypted address, an

encrypted size, an encrypted CRC, an encrypted header length, an encrypted message

length, an encrypted asset identifier, an encrypted name of at least one client, and an

encrypted application ID, an encrypted time and date stamp, an encrypted location ID,

an encrypted message types, an encrypted attachment identifier, an encrypted packet

number, and an encrypted pre-compressed data size for an associated message. (see

TunnelBuilder for Mac User's Guide, Chapter 1, see page 1-1 and 1-3, also see images)

38.   For claim 45, TunnelBuilder teaches, a computer readable medium storing a

program for transmitting information across a network between a first computer and a

second computer, said network including a server that had received an decrypted an

encrypted address of said second computer, said server having transmitted an

encrypted address of said second computer, said server having transmitted and

encrypted message to said second computer using said decrypted address, said

program comprising the steps of:

receiving at said second computer from a server a header with encrypted information

and an encrypted message,

decrypting said encrypted information;

decrypting said encrypted message,

and wherein at least one of said first computer and said second computer are separated

from said server by a firewall. (see TunnelBuilder for Mac User's Guide, Chapter 1, see

page 1-1 and 1-3, also see images)

39.   For claim 46, TunnelBuilder teaches, the computer readable medium according

to claim 45, wherein said header includes at least one of an encrypted address, an

encrypted size, an encrypted CRC, an encrypted header length, an encrypted message

length, an encrypted asset identifier, an encrypted name of at least one client, and an

encrypted application ID, an encrypted time and date stamp, an encrypted location ID,

an encrypted message types, an encrypted attachment identifier, an encrypted packet

number, and an encrypted pre-compressed data size for an associated message. (see

TunnelBuilder for Mac User's Guide, Chapter 1, see page 1-1 and 1-3, also see images)

40.   Claims 1, 4, 5, 27, 34 and 35 are rejected under 35 U.S.C. 102(b) as being

anticipated by TunnelBuilder 4.01 for Windows Website.

41.   For claim 1, TunnelBuilder teaches, a system for establishing communications

across a firewall comprising:

a communications network;

a first server within said communications network; a first computer separated from said

communications network, said first computer sending information to said first server;

and,

a second computer separated from said communications network, said second

computer receiving information from said first server related to the information sent from

said first computer, wherein at least one of said first computer and said second

computer are separated from said communications network by at least one firewall.

wherein said first computer transmits a message to said first server with an encrypted

address of said second computer and

wherein said first server decrypts said encrypted address to an unencrypted address of

said second computer and forwards said message to said second computer using said

un encrypted address

(see www.nts.com website, Firewalls a problem? Looks like a job for ... SuperTunnel!,

inherent in the communication between client via encrypted vpn, is the encryption of

packet received from a client at the originating server and the decryption of packets at

the destination server that forwards the unencrypted to the,designation client)

42.   For claim 4, TunnelBuilder teaches, the system according to claim 1, wherein

said first computer further includes a first client and said second computer includes a

second client and wherein each of said first client and said second client use an open

port to access said communications network. (see www.nts.com website, Firewalls a

problem? Looks like a job for ... SuperTunnel!)

43.   For claim 5, TunnelBuilder teaches, the system according to claim 4, wherein

said open port is at least one of port 80 and port 8080. (see www.nts.com website,

Firewalls a problem? Looks like a job for ... SuperTunnel!)

44.   For claim 27, TunnelBuilder teaches, a system for transmitting information

between a first computer and a second computer comprising: a first application; a first

computer hosting a first client, said first client receiving data from said first application,

said first computer transmitting said data to a server, said server forwarding said data to

a second client residing on said second computer, said second client forwarding said

data to at least a second application, wherein at least one of said first computer and

said second computer are separated from said server by a firewall.

wherein said first computer transmits a message to said first server with an encrypted

address of said second computer and

wherein said first server decrypts said encrypted address to an unencrypted address of

said second computer and forwards said message to said second computer using said

un encrypted address

(see www.nts.com website, Firewalls a problem? Looks like a job for ... SuperTunnel!,

inherent in the communication between client via encrypted vpn, is the encryption of

packet received from a client at the originating server and the decryption of packets at

the destination server that forwards the unencrypted to the designation client)

45. For claim 34, TunnelBuilder teaches, the system according to claim 27, wherein

said first computer and said second computer each use an open port to access to said

communications network. (see www.nts.com website, Firewalls a problem? Looks like a

job for ... SuperTunnel!)

46. For claim 35, TunnelBuilder teaches, the system according to claim 34, wherein

said open port is at least one of port 80 and port 8080. (see www.nts.com website,

Firewalls a problem? Looks like a job for ... SuperTunnel!)

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

47.   Claims 6, 9 and 10 are rejected under 35 U.S.C. 103(a) as being unpatentable

over the combination of TunnelBuilder for Mac User's Guide and van der Sijpt (U.S.

Patent 5,802,293).

48.   For claim 6, TunnelBuilder fails to teaches, the system according to claim 1,

further comprising a second server that operates in the event of an error with said first

server.

49.   Van der Sijpt teaches, the system according to claim 1, further comprising a

second server that operates in the event of an error with said first server. (see van der

Sijpt, Col. 16 lines 25-35)

It would have been obvious to on of ordinary skill in the art at the time of the

invention was made to combine the system disclose in TunnelBuilder for Mac with the

method of van der Sijpt since both invention are from analogous art of communication

between computer on a network. (see TunnelBuilder for Mac User's Guide, Chapter 1,

also see images) and (see van der Sijpt, Col. 2 lines 45-63)

50.   For claim 9, TunnelBuilder-van der Sijpt teaches, the system according to claim

1, further comprising a second server, said second server being connected to said

network, wherein said second server replaces said first server when an error occurs

between said first server and at least one of said first computer and said second

computer. (see van der Sijpt, Col. 16 lines 25-35)

The same motivation that was utilized in the rejection of claim 6, applies equally as well

to claim 9.

51.   For claim 10, TunnelBuilder-van der Sijpt teaches, the system according to claim

1, further comprising a second server, said second server being connected to said

network, wherein said second server replaces said first server when an error occurs

with said first server. (see van der Sijpt, Col. 16 lines 25-35)

The same motivation that was utilized in the rejection of claim 6, applies equally as well

to claim 10.

Response to Arguments

Applicant's arguments filed 1/12/05 have been fully considered but they are not

persuasive. Amendment to the fails to place the claim in condition for allowance. In

response to applicant's remarks to rejection under 35 U.S.C. 102(b) Over TunnelBuilder

for Mac: User's Guide, applicant does not over come the rejection with remarks and

amendments. All features argued are taught implicitly and explicitly in the cited art. In response to the first argument about the teaching of the "encrypted address of the second computer" is taught in chapters 1 and 3 where TunnelBuilder disclose the use of RC-4 encryption scheme to encrypt TCP/IP packets and other types that are carried within the tunneling packet. The address of the second computer is carried within the IP hearer in the destination address of the IP packet which when placed in the tunneling packet is encrypted; the first address is in the L2TP packet. In response to the second argument of the other independent claims, the pervious explanation also applies. In response to the third argument of the "a header with encrypted information" is taught also in chapter 1 and 3, since the entire packet is encrypted and placed in the tunnel, therefore all information in the header is encrypted. Hence since all arguments and amendments fail to place claims in condition for allowance rejections of the claims still stand.

In response to argument about rejection under 35 U.S.C 102(b) Over TunnelBuilder 4.01 for Windows Website. The single argument of failing to teach the "encrypted address of the second computer" is taught in sections "Network Telesystems" and "Firewalls a problem?" in which is described the system of placing encrypted TCP/IP or other packets, into L2TP tunneling and since the IP packets contains the second address it is now encrypted and the first address is in the L2TP packet header.

In response to arguments about rejection under 35 U.S.C. 103 Over TunnelBuilder, in the citation of the rejection under the 103 reference was made to

passages in the TunnelBuilder Mac: User's guide and hence the argument of the failure

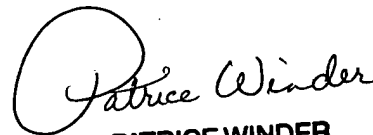to teach the "encrypted address of the second computer" is addressed above.

Conclusion

Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Ajay M Bhatia whose telephone number is (571)-272-

3906. The examiner can normally be reached on M-F 8:30 am - 5:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Valencia M Wallace can be reached on (571)-272-6159. The fax phone

number for the organization where this application or proceeding is assigned is 703-

872-9306.

Information regarding the status of an application may be obtained from the

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you have questions on access to the Private PAIR system, contact the Electronic

Business Center (EBC) at 866-217-9197 (toll-free).

AB

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